

520 Rec'd PCT/PTO 01 NOV 1999

PCT

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 23541-01
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		
INTERNATIONAL APPLICATION NO. PCT/AU98/00315	INTERNATIONAL FILING DATE 01/05/1998 (1 MAY 1998)	PRIORITY DATE CLAIMED 01/05/1997 (01 MAY 1997)
TITLE OF INVENTION NUCLEIC ACID MOLECULES SPECIFIC FOR BACTERIAL ANTIGENS AND USES THEREOF		
APPLICANT(S) FOR DO/EO/US Peter Richard REEVES and Lei WANG		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11. to 16. below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: - PCT Publication No. WO 98/50531 - PCT Request - PCT Chapter II Demand - International Search Report and Citations - International Preliminary Examination Report - Written Opinion</p>		
EXPRESS MAIL Label No. EL007669381US - November 1, 1999		

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U.S. APPLICATION NO. (if known; see 37 CFR 1.1)

INTERNATIONAL APPLICATION NO.

PCT/AU98/00315

ATTORNEY'S DOCKET NUMBER

23541-01

17.  The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1070.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$930.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$720.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$98.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

SurchARGE of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 1070.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	52 - 20 =	32	x \$22.00	\$ 576
Independent claims	16 - 3 =	13	x \$82.00	\$ 1014
MULTIPLE DEPENDENT CLAIM(S) (if applicable)	1		+ \$270.00	\$ 260
TOTAL OF ABOVE CALCULATIONS =				\$ 2920
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				+ \$ -1460
SUBTOTAL =				\$ 1460
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
TOTAL NATIONAL FEE =				\$ 1460
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$
TOTAL FEES ENCLOSED =				\$ 1460
				Amount to be refunded: \$
				charged: \$

a.  A check in the amount of \$ 1460 to cover the above fees is enclosed.b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-3415. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

William H. Dippert  
 Cowan Liebowitz & Latman, P.C.  
 1133 Avenue of the Americas  
 New York, NY 10036-6799

William H. Dippert  
 SIGNATURE

NAME \_\_\_\_\_  
 William H. Dippert  
 26.723  
 REGISTRATION NUMBER \_\_\_\_\_

EXPRESS MAIL CERTIFICATE 37 C.F.R. 1.10

Date of Deposit November 1, 1999

Express Mail Label No. EL007669381US

I hereby certify that this paper is being deposited with the U.S. Postal Service  
"Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the  
date indicated above and is addressed to Commissioner of Patents and  
Trademarks, Washington, D.C. 20231

Eugene Acevedo

Name of Person Mailing



Signature

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(d))—NONPROFIT ORGANIZATION**
**Docket Number (Optional)  
23541-01**
Applicant, Patentee, or Identifier: Peter Richard REEVES and Lei WANGApplication or Patent No.: to be assignedFiled or Issued: to be assignedTitle: NUCLEIC ACID MOLECLES SPECIFIC FOR BACTERIAL ANTIGENS AND USES ...

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION The University of SydneyADDRESS OF NONPROFIT ORGANIZATION Parramatta Road, Sydney NSW, Australia 2006

## TYPE OF NONPROFIT ORGANIZATION:

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)
- WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA
- WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED  
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- the specification filed herewith with title as listed above.  
 the application identified above.  
 the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- no such person, concern, or organization exists.  
 each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Clare Baxter CLAIRE BAXTERTITLE IN ORGANIZATION OF PERSON SIGNING DIrector BUSINESS LIAISON OFFICEADDRESS OF PERSON SIGNING UNIVERSITY OF SYDNEY, AUSTRALIA 2006SIGNATURE Clare Baxter DATE Oct 19 1995

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**09 / 423098**

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

11/04/1999 WCLAYBRO 00000079 09423093

01 FC:961	485.00	OP
02 FC:967	288.00	OP
03 FC:965	507.00	OP
04 FC:969	130.00	OP

Adjustment date: 01/24/2000 UNWALKER  
11/04/1999 WCLAYBRO 00000079 09423093  
02 FC:967 -288.00 OP

01/24/2000 UNWALKER 00000098 033415 09423093

01 FC:967 45.00 CH 288.00 OP

Repln. Ref: 11/04/1999 WCLAYBRO 0017240800  
DA#033415PTQ1556 Game Number:09423093  
FC: 704 (5/87) \$50.00 CR